

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**


HYTKEN FAMILY LIMITED,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. G-05-563
	§	
FRANK SCHAEFER, FRANK SCHAEFER	§	
CONSTRUCTION, INC., SCHAEFER	§	
FAMILY TRUST, and GALVESTON	§	
SHORES, L.P.,	§	
	§	
Defendants.	§	

FINAL JUDGMENT

As set forth in the Court's Order **GRANTING DEFENDANTS' MOTION TO DISMISS** entered on this date, Defendants Frank Schaefer, Frank Schaefer Construction, Inc., Schaefer Family Trust, and Galveston Shores, L.P.'s (collectively "Defendants") Motion to Dismiss for Lack of Subject Matter Jurisdiction is hereby **GRANTED**. Any and all of Plaintiff Hytken Family Limited's claims asserted against Defendants in this action are hereby **DISMISSED WITHOUT PREJUDICE, FOR WANT OF SUBJECT MATTER JURISDICTION**. All relief not herein provided is expressly **DENIED**. Each Party is to bear his or its own taxable costs, expenses, and attorneys' fees incurred herein to date. **THIS IS A FINAL JUDGMENT**.

IT IS SO ORDERED.

DONE this 28th day of March, 2006, at Galveston, Texas.



Samuel B. Kent
United States District Judge